

# CITY OF BURLINGTON

ORDINANCE 4.01  
Sponsor: Planning Department,  
Planning Commission  
Public Hearing Dates 07/15/13  
First reading: 04/29/13  
Referred to: Ordinance Committee  
Rules suspended and placed in all  
stages of passage: \_\_\_\_\_  
Second reading: 07/15/13  
Action: adopted  
Date: 07/15/13  
Signed by Mayor: 07/15/13  
Published: 07/24/13  
Effective: 08/14/13

In the Year Two Thousand Thirteen

## An Ordinance in Relation to

### COMPREHENSIVE DEVELOPMENT ORDINANCE—

#### Nonconforming Structures Demolition

ZA 13-05

It is hereby Ordained by the City Council of the City of Burlington, as follows:

That Appendix A, Comprehensive Development Ordinance, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sections 5.3.5, Nonconforming Structures, thereof to read as follows:

#### Sec. 5.3.5 Nonconforming Structures

(a) As written.

#### (b) Demolition:

A nonconforming structure may be replaced by a new structure retaining the same degree of nonconformity as the original structure. This provision is limited to the existing dimensional nonconformity (i.e. setback, lot coverage, or height), and shall not expand the degree of nonconformity except as provided for in (a) above. The new structure shall be subject to conformance with all other dimensional requirements (i.e. setback, lot coverage, and height). Zoning permit application for the replacement structure shall be completed within 1 year of demolition of the nonconforming structure; failure to do so shall result in the loss of the ability to retain the nonconformity.

In all other cases, a ~~A~~ nonconforming structure that has been demolished or moved shall not be re-built or relocated in any way other than in full conformance with the provisions of this ordinance. Structures or any portion thereof that are structurally unsound, and are required to be removed by

An Ordinance in Relation to      COMPREHENSIVE DEVELOPMENT ORDINANCE—  
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order of the building inspector, may be replaced within the original footprint provided both the requirement to demolish the building is not the result of demolition by neglect and the replacement ~~does~~ shall not expand the degree of nonconformity.

\*      Material stricken out deleted.

\*\*     Material underlined added.

lb/KJS /c: Ordinances 2013/Zoning Amendment ZA #13-05 – Nonconforming Structures Demolition, Sec. 5.3.5  
4/24/13; 7/10/13

ORIGINAL

# AN ORDINANCE

IN RELATION TO  
COMPREHENSIVE DEVELOPMENT ORDINANCE  
Nonconforming Structures Demolition  
ZA 13-05

Introduced by

~~Colin~~ Planning Department, Planning Commission

Read in City Council first time

April 29, 2013

Attest,

  
, Clerk.

Rules suspended, and ordinance placed in all stages of passage.

, 20


Attest,

  
, Clerk.

Read in City Council second time

July 15, 2013


Attest,

  
, Clerk.


Passed in City Council at meeting held

July 15, 2013

Attest,

  
, Clerk.

Approved

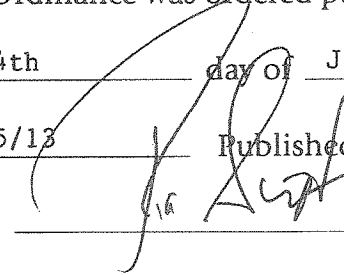
  
, Mayor.

I, ACAO Goodwin, City/Clerk of the City of Burlington and Clerk of the City Council of said City, do hereby certify that the within written Ordinance has been duly published according to Law and the Charter of the City, and in compliance with said Charter this certificate is hereto attached.

And the within Ordinance was ordered published for Wednesday day,

namely the 24th day of July, 20 13.

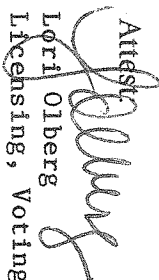
Adopted 07/15/13 Published 07/24/13 Effective 08/14/13

  
ACAO, City/Clerk

## Distribution

I hereby certify that this Ordinance has been sent to the following department(s) on

P & Z Director White  
City Attorney's Office, Kim Sturtevant

Attest,  
  
Lori Olberg  
Licensing, Voting & Records Coordinator

\* \* \* \* \*